IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 21098 of 2007(S)

(AGAINST THE ORDER OF THE FAMILY COURT, THRISSUR IN IA NO. 2161/2007 IN OP NO. 758/2007 DT. 26/6/2007)

.....

PETITIONER:

SUBRAMANIAN, S/O.KURUVATH VEETTIL KARAPPAN, PALLIPPURAM VILLAGE, DESAM, THRISSUR TALUK.

BY ADV. SRI.P.SANTHOSH (PODUVAL)

RESPONDENTS:
----

1. PONNURAJU, S/O.IYYANI VEETTIL MANANGODAN, ANCHUMOORTHIMANGALAM DESAM, WADAKKANCHERY, ALATHUR TALUK, PALAKKAD DISTRICT. PRESENT ADDRESS: PONNURAJU, TAMILNADU ELECTRICITY BOARD, 2/286, E.B.QUARTERS, COOBATHALAI P.O., KOONUR, NILAGIRI DISTRICT, TAMIL NADU.

2. JAYALAKSHMI, W/O.PONNURAJU, IYYANI VEEDU, ANCHUMOORTHIMANGALAM DESAM, WADAKKANCHERY, ALATHUR TALUK, PALAKKAD DISTRICT, PRESENT ADDRESS: JAYALAKSHMI, W/O.PONNURAJU, TAMILNADU ELECTRICITY BOARD, 2/286, E.B.QUARTERS, COOBATHALAI P.O., KOONUR, NILAGIRI DISTRICT

BY ADV. SRI.JOHN JOSEPH(ROY) FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

tga

WP(C) NO: 21098/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORIGINAL PETITION NO. 758/2007 FILED BEFORE THE FAMILY COURT, THRISSUR BY THE PETITIONER.

EXT.P2. COPY OF THE APPLICATION IA NO. 2161/2007 DT. 6/6/07 FILED BEFORE THE FAMILY COURT, THRISSUR.

EXT.P3. COPY OF THE COUNTER DTD. 11/6/07 TO IA NO. 2161/2007 FILED BY PETITIONER BEFORE THE FAMILY COURT, THRISSUR.

EXT.P4. COPY OF THE ORDER DT. 26/6/07 IN IA NO. 2161/07 OF THE FAMILY COURT, THRISSUR.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

J.B.KOSHY & V.GIRI, JJ.

W.P.(C)No.21098 OF 2007

Dated 14th August, 2007

JUDGMENT

Koshy,J.

The order challenged in this writ petition is only an interim order directing that the child to be accommodated in a hostel. Admittedly, the child was born not during any legal marriage between the petitioner and second respondent and according to the second respondent the child was born during the subsisting marriage between the first and second respondents in this appeal. It is submitted that the child is now studying in Gurukulam Public School. The only direction given was to accommodate the child in a hostel satisfied by the petitioner. We make it clear that if the Gurukulam Public School where the child is studying is having a hostel, the child should be accommodated there for the time being until further orders are passed by the Family Court. If there is no hostel, it is for the respondents to find out a hostel to accommodate the child so that her studies will not be affected during this academic year.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

tks